

-- REMARKS --

The present amendment replies to an Office Action dated July 3, 2007. Claims 1-10 are currently pending in the present application. Claims 1, 3-6, and 8-10 have been amended and claims 2 and 7 cancelled herein. In the Office Action, the Examiner rejected claims 1-10 on various grounds. The Applicant responds to each ground of rejection as subsequently recited herein and requests reconsideration of the present application.

Oath/Declaration

The oath or declaration was found defective for failing to identify the foreign application for patent on which priority is claimed pursuant to 37 CFR 1.55. A new oath or declaration is provided herewith.

Specification

The disclosure was objected to and the preliminary amendment filed 12/28/05 was not entered because the oath or declaration is defective and the preliminary amendment did not reference the PCT application. A new oath or declaration is provided herewith and the specification amended before the first paragraph beginning at page 1, line 1, to reference the PCT application.

Claim Objections

Claims 9 and 10 were objected to for informalities due to minor typographical errors regarding said fourth LED and said fifth LED, respectively. Claims 9 and 10 have been amended herein to correct the minor typographical errors and not to avoid any cited reference.

35 U.S.C. §102 Rejections

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the . . . claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPO2d 1913, 1920 (Fed. Cir. 1989). Thus to

warrant the §102(b) rejection, the references cited by the Examiner must show each and every limitation of the claims in complete detail. The Applicant respectfully asserts that the cited references fail to do so.

A. Claims 1 and 2 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2003/0222791 to Smalls (the *Smalls* publication).

The Applicant respectfully asserts that the *Smalls* publication fails to teach or suggest all the claim limitations of the rejected claims. The *Smalls* publication fails to disclose, teach, or suggest a traffic light wherein said switch controller (21) is further operable to prevent simultaneous closure of said first electronic switch (32) and said second electronic switch (42), as recited in amended independent claim 1.

Claim 2 has been cancelled herein.

Withdrawal of the rejection of claim 1 under 35 U.S.C. §102(b) as being anticipated by the *Smalls* publication is respectfully requested.

B. Claims 6-8 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2002/0175826 to Hutchison, *et al.* (the *Hutchison* publication).

The Applicant respectfully asserts that the *Hutchison* publication fails to teach or suggest all the claim limitations of the rejected claims. The *Hutchison* publication fails to disclose, teach, or suggest a traffic light wherein said switch controller (71) is further operable to prevent simultaneous opening of said first electronic switch (81) and said second electronic switch (91), as recited in amended independent claim 6.

Claim 7 has been cancelled herein.

Claim 8 depend directly from independent claim 6 and so include all the elements and limitations of independent claim 6. The Applicant respectfully submits that dependent claim 8 is allowable over the *Hutchison* publication for at least the same reasons as set forth above with respect to independent claim 6. The Applicant also submits that the *Hutchison* publication fails to disclose, teach, or suggest a traffic light wherein said switch controller (71) is further operable

to prevent simultaneous opening of said second electronic switch (91) and said third electronic switch (101), as recited in amended dependent claim 8.

Withdrawal of the rejection of claims 6 and 8 under 35 U.S.C. §102(b) as being anticipated by the *Hutchison* publication is respectfully requested.

35 U.S.C. §103 Rejections

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references when combined must teach or suggest all the claim limitations. *See* MPEP 2143. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). *See* MPEP 2143.03. The Applicant respectfully asserts that the cited references fail to teach or suggest all the claim limitations.

C. Claims 1-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,809,655 to Colby (the *Colby* patent) in view of U.S. Patent No. 6,362,578 to Swanson, *et al.* (the *Swanson* patent).

The Applicant respectfully asserts that the *Colby* patent and the *Swanson* patent, alone or in combination, fail to teach or suggest all the claim limitations of the rejected claims. The *Colby* patent and the *Swanson* patent fails to disclose, teach, or suggest a traffic light wherein said switch controller (21) is further operable to prevent simultaneous closure of said first electronic switch (32) and said second electronic switch (42), as recited in amended independent claim 1.

The Applicant also respectfully disagrees with the Examiner's assertion that the *Colby* patent discloses first to fifth LED circuits selectively controlled by a single control module. At most, the prior art discussed by the *Colby* patent discloses traffic signals with various numbers and configurations of lamps, but is silent as to the lamps being controlled by a single control module. *See* Figure 4B; column 1, line 43 through column 2, line 4.

Claims 3-5 depend directly or indirectly from independent claim 1. Therefore, the dependent claims include all the elements and limitations of independent claim 1. The Applicant respectfully submits that dependent claims 3-5 are allowable over the *Colby* patent in view of the *Swanson* patent for at least the same reasons as set forth above with respect to independent claim 1.

The Applicant also submits that the *Colby* patent and the *Swanson* patent fail to disclose, teach, or suggest a traffic light: wherein said switch controller (21) is further operable to prevent simultaneous closure of said second electronic switch (42) and said third electronic switch (52) as recited in amended dependent claim 3; wherein said switch controller (21) is further operable to prevent simultaneous closure of said third electronic switch (52) and said fourth electronic switch (46) as recited in amended dependent claim 4; or wherein said switch controller (21) is further operable to prevent simultaneous closure of said fourth electronic switch (46) and said fifth electronic switch (56) as recited in amended dependent claim 5.

Claim 2 has been cancelled herein.

Withdrawal of the rejection of claims 1 and 3-5 under 35 U.S.C. §103(a) as being unpatentable over the *Colby* patent in view of the *Swanson* patent is respectfully requested.

D. Claims 6-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,809,655 to Colby (the *Colby* patent) in view of U.S. Patent Publication No. 6,362,578 to Xu (the *Xu* publication).

The Applicant respectfully asserts that the *Colby* patent and the *Xu* publication, alone or in combination, fail to teach or suggest all the claim limitations of the rejected claims. The *Colby* patent and the *Xu* publication fails to disclose, teach, or suggest a traffic light said switch controller (71) is further operable to prevent simultaneous opening of said first electronic switch (81) and said second electronic switch (91), as recited in amended independent claim 6.

The Applicant also respectfully disagrees with the Examiner's assertion that the *Colby* patent discloses first to fifth LED circuits selectively controlled by a single control module. At most, the prior art discussed by the *Colby* patent discloses traffic signals with various numbers

and configurations of lamps, but is silent as to the lamps being controlled by a single control module. *See* Figure 4B; column 1, line 43 through column 2, line 4.

Claims 8-10 depend directly or indirectly from independent claim 6. Therefore, the dependent claims include all the elements and limitations of independent claim 6. The Applicant respectfully submits that dependent claims 8-10 are allowable over the *Colby* patent in view of the *Xu* publication for at least the same reasons as set forth above with respect to independent claim 6.

The Applicant also submits that the *Colby* patent and the *Xu* publication fail to disclose, teach, or suggest a traffic light: wherein said switch controller (71) is further operable to prevent simultaneous opening of said second electronic switch (91) and said third electronic switch (101) as recited in amended dependent claim 8; wherein said switch controller (71) is further operable to prevent simultaneous opening of said third electronic switch (101) and said fourth electronic switch (94) as recited in amended dependent claim 9; or wherein said switch controller (71) is further operable to prevent simultaneous opening of said fourth electronic switch (94) and said fifth electronic switch (104) as recited in amended dependent claim 10.

Claim 7 has been cancelled herein.

Withdrawal of the rejection of claims 6 and 8-10 under 35 U.S.C. §103(a) as being unpatentable over the *Colby* patent in view of the *Xu* publication is respectfully requested.


SUMMARY

Reconsideration of the rejection of claims 1, 3-6, and 8-10 is requested. The Applicant respectfully submits that claims 1, 3-6, and 8-10 fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully submitted,
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